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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,996	02/26/2004	Yuichi Tomiyasu	04329.3248	2665
22852	7590	04/06/2006		EXAMINER
		FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413		VIDWAN, JASJIT S
			ART UNIT	PAPER NUMBER
			2182	

DATE MAILED: 04/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/785,996	TOMIYASU, YUICHI	
	Examiner	Art Unit	
	Jasjit S. Vidwan	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 11 April 2005.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-13 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-13 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 17 June 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/28/06</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title or claim. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3. Claims 1-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1 and 11 read "a second system operable **independently** of the first system, the second system including, a second controller that executes communication with the **peripheral device via the interface...**" The listed claims state that the second system is operable independently of the first system, however make reference to a peripheral device that is claimed to be located in the first system being executed by the second controller located in the second system. For the purpose of timely prosecution of the application, the Examiner will construe that the second system's controller provides communication with the display independent of the first system.

2. Claims 1 and 11 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap

between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: Controller 1 and 2 to display controller 1 and 2.

Claim Rejections - 35 USC § 102

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 7 rejected under 35 U.S.C. 102(b) as being anticipated by Davies et al Patent No: 6,308,234 [herein after Davies].

4. **As per claim 1 and 11,** Davies teaches an information processing apparatus comprising:

(a) A first system including a CPU [Fig. 1, Element 24] capable of executing an operating system, a first display controller [35] that causes a display device [28, ‘Local Display’] to display data [Col. 4, Lines 23-26], which is written in a memory [37] by the CPU, a peripheral device [14] having an interface and being capable of outputting image data via the interface [12], and a first controller [24 and 32] that executes communication with the peripheral device via the interface and receives the image data output from the peripheral device.

(b) A second system operable independently of the first system, the second system including, a second controller [16] that executes communication with the second peripheral device via the interface and receives the image data output from the peripheral device [14], a second display controller [33] that causes the display device [28] to display the image data [Col. 4, Lines 23-26], and a switch device that switches a destination of connection of the interface of the peripheral device from the first controller to the second controller [25].

5. **As per claim 2,** Davies teaches a system wherein the second controller includes a processor that controls the peripheral device and the second display controller [16].

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6. **As per claim 7**, Davies teaches a system wherein the interface of the peripheral device includes a plurality of signal lines [**Elements 14a, 14b, 14c, 14d**], and

The switch device includes a switch circuit that electrically connects the plurality of signal lines of the interface to one of the first controller [24 and 32] and the second controller [16].

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davies et al U.S. Patent no: 6,308,234 [**herein after Davies**] and further in view of Numano et al U.S. Pub No: 2003/0048258 [**herein after Numano**].

9. **As per claim 3**, Davies teaches the limitations of claim 1 and 11 and furthermore, a system wherein the information processing apparatus comprises of a housing including the first system and second system [**Col. 1, Lines 18-22, 'Personal Computer'**].

Davies fails to explicitly teach a housing wherein there exists a power button that is provided on the housing and outputs a power-on signal indicating that the information processing apparatus is to be powered on; an operation button that is provided on the housing and outputs a reproduction instruction signal instructing image reproduction; and a power supply unit that is provided in the housing and supplies power to the first system in response to the power-on signal and supplies power to the second system and the peripheral device in response to the reproduction instruction signal. However, Numano teaches these limitations of:

(i) Power button that is provided on the housing and outputs a power-on signal indicating that the information processing apparatus is to be powered on [**see Numano - Fig. 1, Element 114**].

(ii) Operation button that is provided on the housing and outputs a reproduction instruction signal instructing image reproduction [see Numano - Page 2, Paragraph 0025].

(iii) Power supply unit that is provided in the housing and supplies power to the first system in response to the power-on signal and supplies power to the second system and the peripheral device in response to the reproduction instruction signal [see Numano - Page 2, Paragraph 0032].

One of ordinary skill in the art at the time of applicant's invention would have clearly recognized the advantage of combining the teachings of Davies and Numano in order to take advantage of having an operation button that dictates when power should be supplied to a particular system within the overall computer system. It is for this reason that one of ordinary skill in the art at the time of applicant's invention would have been clearly motivated to combine the teachings of Davies and Numano in order to take advantage of power saving mode where the power is supplied to a system only when necessary.

10. **As per claim 4**, teachings of Davies as modified by Numano above teach a system wherein the second controller includes a processor that controls the peripheral device and the second display controller and wherein the processor initializes the peripheral device and second display controller in response to the supply of power to the second system [See Davies – Fig. 1, Element 16].

11. Claims 5, 6, 8, 9, 10, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Davies et al U.S. Patent no: 6,308,234 [**herein after Davies**] and further in view of Tsubouchi et al U.S. Patent No: 6,297,794 [**herein after Tsubouchi**].

12. **As per claim 5**, Davies teaches the limitations of Claim 1 and 11, however fails to teach a system including a compressed video data. However, Tsubouchi teaches a system wherein the image data includes compression-encoded data [Col. 6, Lines 50-54, "MPEG2 encoder" – also see Col. 7, Lines 15-19], and

The second system further includes a decoder that decodes the image data received by the second controller [Fig. 1, Element 18, "MPEG2 Decoder"].

One of ordinary skill in the art at the time of applicant's invention would have clearly recognized the advantage of combining the teachings of Davies with that of Tsubouchi in order to take advantage of storing compressed data in a computer system in order to not occupy unnecessary storage space on the storage medium. It is for this reason that one of ordinary skill in the art at the time of applicant's invention would have been motivated to combine the teachings of Davies with Tsubouchi in order to save space on the storage medium in a computer system by having compressed data.

13. **As per claim 6,** Teachings of Davies as modified by Tsubouchi above teach a system wherein the second system further includes means for converting the image data received by the second controller to a video signal that is to be output to an external TV receiver [see Tsubouchi Col. 5, Lines 45-52].

14. **As per claim 8,** Teachings of Davies as modified by Tsubouchi above teach a system wherein the switch device includes a switch circuit that is configured to electrically connect the plurality of signal lines to the first controller in response to a first switch signal supplied from the first controller, and electrically connect the plurality of signal lines to the second controller in response to a second switch signal supplied from the second controller [Tsubouchi - Col. 9, Lines 1-24].

15. **As per claim 9,** Teachings of Davies as modified by Tsubouchi above teach an apparatus wherein the peripheral device includes a drive unit that drives a storage medium [Tsubouchi - Col. 7, Lines 45-53].

16. **As per claim 10,** Teachings of Davies as modified by Tsubouchi above teach an apparatus wherein the peripheral devices include a receiving device that receives broadcast program data [Fig. 1, Element '1394'].

17. **As per claim 12,** Teachings of Davies as modified by Tsubouchi above teach a system wherein the information processing apparatus comprises:

(a) First operation that activates the first system [Tsubouchi - Col. 6, Lines 59-60, "Normal Mode"].

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(b) Second operation that activates the second system [Tsubouchi - Col. 6, Lines 59-60, "Multimedia Mode"].

18. As per claim 13, Teachings of Davies as modified by Tsubouchi above teach a system wherein the switch device is configured to be operable in one of a first operation mode in which the peripheral device is connected to the first system [Tsubouchi - Fig. 1, Element 20 – IEEE 1394 controller is connected to the PCI bus], a second operation mode in which the peripheral device is connected to the second system [Tsubouchi - Fig. 1, Element 31 – connected only to Video/Audio dedicated Bus], and a third operation mode in which the peripheral device is connected to the first system and the second system [Tsubouchi - Fig. 1, Element 20 – Connected to both PCI bus and Video/Audio dedicated Bus].

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jasjit S. Vidwan whose telephone number is (571) 272-7936. The examiner can normally be reached on 8am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KIM HUYNH can be reached on (571) 272-4147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

3/28/06
JSV



KIM HUYNH
SUPERVISORY PATENT EXAMINER
3/31/06